

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte: JAY S. WALKER, MAGDALENA MIK,  
MICHIKO KOBAYASHI, GEOFFREY M. GELMAN,  
RUSSELL PRATT SAMMON and ANDREW P. GOLDEN

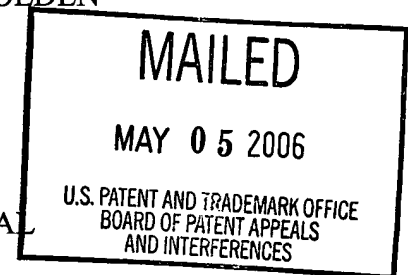
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Application No. 09/609,017

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ORDER RETURNING UNDOCKETED APPEAL

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This application was received at the Board of Patent Appeals and Interferences on March 27, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner. The matter requiring attention prior to docketing is identified below.

**INFORMATION DISCLOSURE STATEMENT**

Appellant filed an Information Disclosure Statement (IDS) dated August 27, 2004. There is no indication on the record that the Information Disclosure Statement was considered by the

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Examiner. A written communication notifying appellant of the Examiner's consideration is required.

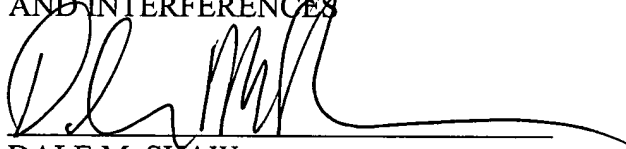
**CONCLUSION**

Accordingly, it is

ORDERED that the application is returned to the examiner to:

- 1) consideration and proper written response to the Information Disclosure Statement filed July 18, 2005;
- 2) to notify appellants of such consideration; and
- 3) for any further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

A handwritten signature in dark ink, appearing to read 'Dale M. Shaw', is written over a horizontal line.

DALE M. SHAW  
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DMS/dpv

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